

(21)
10-24-0
SC

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DALE ARNOLD,
Petitioner

v.

FREDERICK FRANK,
BRADFORD COUNTY DISTRICT
ATTORNEY and ATTORNEY GENERAL
OF THE COMMONWEALTH OF
PENNSYLVANIA,
Respondents

Civil No. 1:00-CV-0775

Magistrate Judge Smyser

FILED
HARRISBURG
OCT 23 2000
MARY E. D'ANDREA, CLERK
Per DEPUTY CLERK

PETITIONER'S MOTION FOR CONTINUANCE OF BRIEFING

AND NOW comes the petitioner, Dale Arnold, by his attorney Daniel I. Siegel of the Federal Public Defender's Office, and files this Motion for Continuance of Briefing.

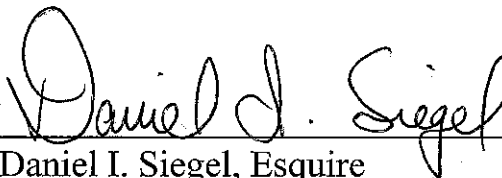
1. By order dated September 27, 2000, this Court continued briefing in the above-captioned case to Monday, October 23, 2000.
2. By separate order dated September 27, 2000, this Court directed the Clerk of Court of Bradford County, Pennsylvania, to file with the clerk's office in Harrisburg a copy of the trial transcript in Commonwealth of Pennsylvania v. Dale Richard Arnold, Bradford County Criminal Case No. 1026 of 1980.

3. Last week, undersigned counsel checked with the federal clerk's office and learned that the transcripts had not yet been received.
4. Today, October 23, 2000, defense counsel spoke with Deputy Clerk Jill Cardile, who informed counsel that the state court transcripts had not been received in Harrisburg.
5. Review of the state trial transcript is necessary to effectively represent petitioner in this action.

WHEREFORE, it is respectfully requested that briefing in the above-captioned case be continued to November 22, 2000.

Respectfully submitted,

Date: Oct. 23, 2000



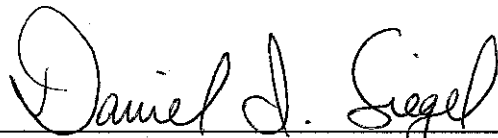
Daniel I. Siegel, Esquire
Asst. Federal Public Defender
100 Chestnut Street, Suite 306
Harrisburg, PA 17101
Attorney for Dale Arnold
Attorney ID # 38910

CERTIFICATE OF CONCURRENCE

I, Daniel I. Siegel, of the Federal Public Defender's Office certify that on October 23, 2000, I contacted Todd Hinkley, Assistant District Attorney for Bradford County, and he stated that he would concur in the foregoing motion.

Date: _____

Oct. 23, 2000



DANIEL I. SIEGEL, ESQUIRE
Asst. Federal Public Defender

CERTIFICATE OF SERVICE

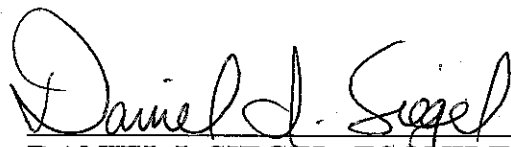
I, Daniel I. Siegel, of the Federal Public Defender's Office do hereby certify that on this date I served a copy of the **PETITIONER'S MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE SUPPORTING BRIEF** by placing the same in the United States mail, first class in Harrisburg, Pennsylvania, addressed to the following:

Todd Hinkley, Esquire
Assistant District Attorney
Bradford County Courthouse
301 Main Street
Towanda, PA 18848

Dale Arnold
Inmate #AK 5044
SCI Huntingdon
1100 Pike Street
Huntingdon, PA 16654-1112

Date:

Oct. 23, 2000


DANIEL I. SIEGEL, ESQUIRE
Asst. Federal Public Defender
Attorney for Dale Arnold